THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 15796 OF 2005

08-08-2005

Between:

Gouri Naghendhar Reddy & others.

.....PETITIONERS

AND

The Commissioner, Endowments Department, Government of

Andhra Pradesh & others.

.....RESPONDENTS

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 15796 OF 2005

ORDER : (Per Hon'ble Sri Bilal Nazki, ACJ)

The grievance of the petitioners is that they had purchased land to an extent of Ac.0-30 gts. in public auction being the highest bidders. They had offered Rs.13,51,000/- and paid 1/3rd of it, but respondent No.3 is not receiving the balance sale consideration and is not affecting the sale deeds.

Counter has been filed in Writ Petition No.15138 of 2005, in which it has been stated that there is an order of this Court in W.P.M.P.No.15055 of 2005 in writ petition No.11812 of 2005, therefore the sale deeds were not affected.

We have seen the order. The order had been passed in the context of Section 89 of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and which, in our view, would mean that there is no restriction for affecting sales by way of public auctions. It was only the sales arising out of compromise or negotiations, which had been stayed by this Court. Since the land has been purchased by the petitioners in public auction, therefore, the order in writ petition No.11812 of 2005 would not apply to them.

With these observations, the writ petition is disposed of. No order as to costs.

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(BILAL NAZKI, ACJ)

8th August 2005.

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(G.CHANDRAIAH, J)

ajr